REMARKS

Applicants note with appreciation the allowance of independent claim 10.

Applicants have amended claims 1 and 33 to set forth that each edge of the container is covered by at least one of the bands. Support for these amendments is found in the specification on page 10, lines 19-23. Since no new matter has been added, Applicants respectfully request entry of the amendments.

Claims 1-6, 8, 11-38, 42-57 and 74-76 stand rejected under 35USC§103(a) as being unpatentable over Sacks (USP 5,249,534) in view of Lewis (USP 674,009). Applicants respectfully traverse this rejection and request its withdrawal, for the reasons that follow.

The Examiner acknowledges that Sacks fails to disclose the first and second bands of Applicants' claimed invention, as well as any coverage of the container bottom (first paragraph of numbered paragraph 4). Further, and as discussed in Applicants' last response, the Sacks' panels fail to substantially enclose a volume, as required by Applicants' claims.

The deficiencies of Sacks are not met by Lewis. Lewis cannot and does not address blast resistance. With reference to the drawing figures of Lewis, especially Figures 1 and 2, it will be seen that the Lewis container/box edge at "a" is not covered by one of its "bands". Rather, a hinging strip or tape is used to join the edge created by the abutting panels of the "A" casing. This taped edge fatally flaws the design insofar as blast resistance is concerned and thus, teaches away from Applicants' invention.

It is respectfully submitted that Applicants' claims 1 and 33, as amended, and all claims dependent therefrom, are patentably distinct from these references, alone or in combination.

With respect to Applicants' claim 37 and all claims dependent directly or indirectly therefrom (claims 38, 42-57), neither Sacks' third panel, nor the casing "A" of Lewis, teaches or suggests a "band" of material which encircles a blast resistant container to at least partially cover an access opening to the container. The third panel of Sacks simply constricts/holds down the other two panels, while casing "A" of Lewis fails to encircle the container.

With respect to Applicants' claims 15, 30, 46 and all claims dependent directly or indirectly therefrom (claims 16-20), neither Sacks nor Lewis teaches or suggests that at least about 75 weight percent of the fibers should be substantially continuous lengths of fiber that encircle anything, much less an enclosed volume. See Applicants' Example 6.

With respect to Applicants' claim 38, Sacks fails to teach or suggest that a panel/"band" slide on the container for any purpose. Sacks, in fact, teaches against slide capability by specifying that its third panel be wound around the first two panels, preferably in multiple turns (a "band"), "to hold the other two panels more firmly in place." See Sacks, column 4, lines 29-32. See Applicants' specification, sentence bridging pages 10-11, regarding sliding bands.

Claims 9 and 11 stand rejected under 35 USC§103(a) as being unpatentable over Sacks in view of Rosenbloom, Jr. et al. (USP 4,290,468). Applicants respectfully traverse this rejection and requests its withdrawal for the reasons set forth in the last response.

Applicants respectfully submit that the foregoing amendment and remarks place the claims in condition for allowance and request that this case be passed to issue. If there are any unresolved issues, the Examiner is invited to telephone Applicants' attorney.

Respectfully submitted,
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I hereby certify that this correspondence is being sent via facsimile 703-305-3579 to Examiner Niki Eloshway, on June 26, 2002.

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Version with markings to show changes made to claims

1. (twice amended) A blast resistant container comprising at least three bands of a material, a first inner band being nested within a second band which is nested within a third band, said bands being oriented relative to one another to substantially enclose a volume and to form a container wall having a thickness substantially equivalent to the sum of the thicknesses of at least two of the bands, the outermost band being substantially seamless and blast resistant, wherein each edge of the container is covered by at least one of said bands.

33. (twice amended) A blast resistant container comprising three tubular bands of a composite material, each of said bands being substantially rectangular in cross-section, a first rigid inner band being nested in a second band which is nested in a substantially seamless blast resistant third band so as to form a rectangular prism having six faces each of which has a thickness substantially equivalent to the sum of the thicknesses of at least two of the bands, each edge of the container being covered by at least one of said bands.